

National Advisory Committee on Institutional Quality and Integrity (NACIQI)

Annual Report to the Secretary of Education and Congress

Fiscal Year 2021



**National Advisory Committee on Institutional Quality and Integrity (NACIQI)
Annual Report to the Secretary of Education and Congress**

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**NATIONAL ADVISORY COMMITTEE ON INSTITUTIONAL QUALITY AND INTEGRITY
ANNUAL REPORT TO THE SECRETARY OF EDUCATION AND CONGRESS**

Overview

The National Advisory Committee on Institutional Quality and Integrity (NACIQI or the Committee) respectfully submits this report on its activities during fiscal year 2020 to the Secretary of Education (Secretary) and to Congress. Section 114(e)(2) of the Higher Education Act of 1965, as amended (HEA), mandates that NACIQI produce an annual report that contains four items:

- A detailed summary of the agenda and activities of, and the findings and recommendations made by, the Committee during the fiscal year preceding the fiscal year in which the report is made;
- A list of the date and location of each meeting during the fiscal year preceding the fiscal year in which the report is made;
- A list of the members of the Committee; and
- A list of the functions of the Committee, including any additional functions established by the Secretary through regulation.

I. Committee Agendas and Activities During Fiscal Year (FY) 2020

NACIQI held two meetings during FY 2020:

- February 27, 2020
- July 29-30, 2020

Meeting agenda are provided with this report (Attachments A and C).

One meeting was held in the Washington, DC, area, and one meeting was conducted virtually, using the WebEx platform. NACIQI deliberated on accrediting agency submissions and advised the senior Department official on matters concerning accreditation, the recognition process, and the eligibility and certification process for institutions under Title IV of the HEA. The Committee members participated in a comprehensive training on its responsibilities on February 26, 2020, (three members who were not in attendance were trained in Spring 2020). The Department's political and career leadership participated in the training, and an attorney from the Office of the General Counsel conducted the required annual ethics training. The Chairperson, Arthur E. Keiser, was re-elected, and Claude O. Pressnell, Jr. was elected as Vice Chairperson at the February 27, 2020 meeting.

During FY 2020, NACIQI reviewed the following types of applications:

- Seven applications for renewal of recognition from accrediting agencies;
- Two applications for reorganization and curriculum change by Federal agencies;
- One initial application for recognition from an accrediting agency;

- One compliance report from an accrediting agency;
- One request for an expansion of scope from an accrediting agency; and
- One review of an agency recognition during the period of recognition.

NACIQI heard from 11 oral commenters in FY 2020.

NACIQI reviews all information submitted by an agency in support of its petition, as well as the staff analysis and public comments.

The Subcommittee on Governance submitted a report for the Secretary’s review.

The Committee formed a Student Success subcommittee.

A summary of the Committee’s deliberations and recommendations regarding each agency review is provided with this report (see Attachments B and D).

II. Date and Location of NACIQI Meetings

February 27, 2020 Embassy Suites by Hilton Alexandria Old Town
1900 Diagonal Road
Alexandria, VA 22314

July 29 & 30, 2020 Virtual Using the WebEx Platform

III. Committee Membership

NACIQI has 18 members appointed as follows:

- Six members appointed by the Secretary;
- Six members appointed by the Speaker of the U.S. House of Representatives, three of whom are appointed on the recommendation of the majority leader of the U.S. House of Representatives and three of whom are appointed on the recommendation of the minority leader of the U.S. House of Representatives; and
- Six members appointed by the President Pro Tempore of the U.S. Senate, three of whom are appointed on the recommendation of the majority leader of the U.S. Senate, and three of whom are appointed on the recommendation of the minority leader of the U.S. Senate.

Please refer to Attachment F for a list of NACIQI members, including the nominating source for each member, for fiscal year 2020.

IV. Committee Functions

NACIQI was established by Section 114 of the HEA of 1965, as amended by Section 106 of the HEOA. By law, NACIQI advises the Secretary with respect to the following functions:

1. The establishment and enforcement of the standards of accrediting agencies or associations under Subpart 2 of Part H of Title IV, HEA;

2. The recognition of a specific accrediting agency or association;
3. The preparation and publication of the list of nationally recognized accrediting agencies and associations;
4. The eligibility and certification process for institutions of higher education under Title IV, HEA, together with recommendations for improvements in such process;
5. The relationship between:
 - A. Accreditation of institutions of higher education and the certification and eligibility of such institutions;
 - B. State licensing responsibilities with respect to such institutions; and
6. Other advisory functions relating to accreditation and institutional eligibility as the Secretary may prescribe by regulation.

The Secretary has not prescribed any other advisory functions relating to accreditation and institutional eligibility by regulation for NACIQI.

V. Sources of Additional Information about the Committee

For additional information concerning the Committee's activities, please visit the NACIQI website at <http://sites.ed.gov/naciqi/>, or contact the Executive Director whose contact information is listed below.

George Alan Smith, Ed.D.
Executive Director, NACIQI
U.S. Department of Education
400 Maryland Ave., SW, Room 271-03
Washington, DC 20202
Phone: (202) 453-7757
E-mail: george.alan.smith@ed.gov



U.S. Department of Education
Office of Postsecondary Education

**NATIONAL ADVISORY COMMITTEE ON INSTITUTIONAL QUALITY AND INTEGRITY
(NACIQI)**

February 27, 2020
8:30AM-5:00PM
Virginia Ballroom
Embassy Suites by Hilton Alexandria Old Town

NOTE: Dates and times listed for agenda items are subject to change.

8:30AM Welcome and Introductions	George Alan Smith Acting NACIQI Executive Director Arthur Keiser NACIQI Chairman
Accreditation Rules Effective July 1, 2020	Diane Auer Jones Principal Deputy Under Secretary Delegated the Duties to Perform the Duties of Under Secretary Oral Commenter: Bernard Fryshman
Consent Agenda and Procedures	Arthur Keiser NACIQI Chairman <ul style="list-style-type: none"> ▪ Call for third-party oral comments ▪ Call for removal of any items from the consent agenda ▪ Move and second consent agenda ▪ Call for vote on the consent agenda
Consent Agenda 1) Compliance Report Oklahoma Department of Career and Technology Education (ODCTE) 2) Renewal of Recognition Kansas State Board of Nursing (Kansas) 3) Renewal of Recognition Pennsylvania State Board of Career and Technical Education (Pennsylvania)	NACIQI Primary Readers: (ODCTE) Kathleen Sullivan Alioto, Richard F. O’Donnell (Kansas) Kathleen Sullivan Alioto, Brian W. Jones (Pennsylvania) Brian W. Jones, Ralph Wolff Department Staff: (ODCTE) Karmon Simms-Coates (Kansas) Elizabeth Daggett (Pennsylvania) Elizabeth Daggett

<p>Standard Review Procedures</p>	<p>Arthur Keiser NACIQI Chairman</p> <ul style="list-style-type: none"> ▪ Primary readers introduce agency application ▪ Department staff provides briefing ▪ Agency representatives provide comments ▪ Questions by NACIQI followed by response and comment from agency ▪ Third-party comments ▪ Agency responds to third-party comments ▪ Department staff responds to agency and third-party comments ▪ Discussion and vote
<p>Initial Recognition National Nurse Practitioner Residency and Fellowship Training Consortium</p>	<p>NACIQI Primary Readers: Jill Derby Claude O. Pressnell, Jr.</p> <p>Department Staff: Valerie Lefor</p> <p>Agency Representatives: Kerry Bamrick, MBA Executive Director DoQuyen Huynh, DNP, ARNP Accreditation Commission Chair Margaret Flinter, APRN, PhD, FAAN, FAANP, Board of Director Chairperson Mark Masselli, Founder, President, and CEO of Community Health Center, Inc. Lucien “Skip” Capone III, J.D., Accreditation Consultant</p>
<p>Expansion of Scope The Association for Biblical Higher Education, Commission on Accreditation</p>	<p>NACIQI Primary Readers: Claude O. Pressnell, Jr. Ralph Wolff</p> <p>Department Staff: Nicole S. Harris</p> <p>Agency Representatives: Ronald Kroll, Ed.D., Director, Commission on Accreditation Shane Wood, Ph.D., Associate Director, Commission on Accreditation Kevin Hester, Ph.D., Chair, Commission on Accreditation</p>

LUNCH	
1:00PM Renewal of Recognition Maryland Board of Nursing	<p>NACIQI Primary Readers: Paul J. LeBlanc Steven VanAusdle</p> <p>Department Staff: Nicole S. Harris</p> <p>Agency Representative: Karen E. B. Evans, MSN, RN-BC, Executive Director</p>
Renewal of Recognition New York State Board of Regents, State Education Department, Office of the Professions (Public Postsecondary Vocational Education, Practical Nursing)	<p>NACIQI Primary Readers: Paul J. LeBlanc Richard F. O'Donnell</p> <p>Department Staff: Charity Helton</p> <p>Agency Representative: Renee Gecsed, MS, RN, Associate in Nursing Education</p>
Subcommittee on Governance	Richard F. O'Donnell Subcommittee Chairperson
Election of Committee Chair and Vice Chair	George Alan Smith Designated Federal Official

Report of the Meeting

**National Advisory Committee on Institutional Quality and Integrity
(NACIQI)**

February 27, 2020



_____/s/_____
Arthur E. Keiser, Ph.D., Chair

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DISCLAIMER

This report summarizes the deliberations of the National Advisory Committee on Institutional Quality and Integrity (NACIQI) at its February 27, 2020 meeting. The NACIQI is an advisory committee established by the Higher Education Opportunity Act of 2008 and is subject to the Federal Advisory Committee Act. This report represents the views of the NACIQI. The report has not been reviewed for approval by the Department of Education, and therefore, the report's recommendations do not purport to represent the views of the Department.

EXECUTIVE SUMMARY

NACIQI was most recently authorized by Section 106 of the Higher Education Opportunity Act of 2008. NACIQI's primary functions include advising the Secretary of Education on the establishment and enforcement of criteria for recognition of accrediting agencies under Subpart 2 of Part H, Title IV, of the Higher Education Act of 1965, as amended (HEA), as well as the recognition of specific accrediting agencies or associations or a specific State approval agency. The NACIQI also advises the Secretary on the eligibility and certification process for institutions of higher education under Title IV, of the HEA, including the relationship between accreditation of institutions of higher education and the certification and eligibility of such institutions, and state licensing responsibilities with respect to such institutions.

NACIQI met on February 27, 2020 at the Embassy Suites-Old Town Alexandria, 1900 Diagonal Road, Alexandria, VA to carry out its responsibilities to advise the senior Department official with respect to the recognition of accrediting agencies.

NACIQI reviewed the following types of applications at its February 27, 2020 meeting:

- Four applications for renewal of recognition from accrediting agencies;
- One compliance report from an accrediting agency;
- One initial application for recognition from an accrediting agency; and
- One request for an expansion of scope from an accrediting agency.

NACIQI reviews all information submitted by an agency in support of its petition, the staff analysis and report, and third-party comments.

Chairman Arthur Keiser opened the meeting and welcomed the Committee (including those newly appointed by the Secretary) and members of the public.

Diane Auer Jones, Principal Deputy Under Secretary Delegated the Duties to Perform the Duties of Under Secretary, updated the Committee regarding the Department's accreditation rules that will take effect July 1, 2020.

The Subcommittee on Governance and Political Influence, chaired by Richard F. O'Donnell, tabled its scheduled report until the Fall 2020 meeting.

The Acting Executive Director of NACIQI and Designated Federal Official, George Alan Smith, facilitated elections for the Committee Chair and Vice Chair. Arthur Keiser was re-elected as Chair and Claude O. Pressnell, Jr. was elected as Vice Chair.

NACIQI members in attendance for all or part of the meeting included: Arthur Keiser (Chair), Kathleen Sullivan Alioto, Ronnie L. Booth, Wallace E. Boston, Amanda Delekta, Jill Derby, David E. Eubanks, Paul J. Leblanc, D. Michael Lindsay, Richard F. O'Donnell, Mary Ellen Petrisko, Claude O. Pressnell, Jr., Steven VanAusdle, and Ralph Wolff.

U.S. Department of Education representatives who participated in the meeting included: NACIQI Acting Executive Director and Designated Federal Official George Alan Smith; Accreditation Director Herman Bounds; Office of the General Counsel staff members Angela Sierra and Donna Mangold; and accreditation staff members Elizabeth Daggett, Nicole S. Harris, Charity Helton, Jass Holt, Valerie Lefor, Stephanie McKissic, Karmon Simms-Coates, and Michael Stein.

SUMMARY OF AGENCY-RELATED ACTIONS

(*In alphabetical order.)

The following agencies were acted on under NACIQI's consent agenda:

Compliance Report | Accrediting Agency

Oklahoma Department of Career and Technology Education (ODCTE)

Action for Consideration: Compliance report

Recommendation: Vote: 13-0

Renew the agency's recognition for four years.

NACIQI Primary Readers:

- Kathleen Sullivan Alioto
- Richard F. O'Donnell

Renewal of Recognition | Accrediting Agencies

Kansas State Board of Nursing

Action for Consideration: Renewal of recognition

Recommendation: Vote: 13-0

Renew the agency's recognition for four years.

NACIQI Primary Readers:

- Kathleen Sullivan Alioto
- Brian W. Jones

Pennsylvania State Board of Career and Technical Education

Action for Consideration: Renewal of recognition

Recommendation: Vote: 13-0

Renew the agency's recognition for four years.

NACIQI Primary Readers:

- Brian W. Jones
- Ralph Wolff

The following agencies were acted on using NACIQI's standard review procedures:

Initial Recognition | Accrediting Agency

National Nurse Practitioner Residency and Fellowship Training Consortium

Action for Consideration: Initial recognition

Recommendation: Vote: 13-0

Grant the agency initial recognition for a period of five years.

NACIQI Primary Readers:

- Jill Derby
- Claude O. Pressnell, Jr.

Representatives of the Agency:

- Kerry Bamrick, MBA, NNPRFTC Executive Director
- Lucien Capone III, J.D., Accreditation Consultant
- Margaret Flinter, Ph.D., Chair, NNPRFTC Board of Directors

- DoQuyen Huynh, DNP, Chair, NNPRFTC Accreditation Commission
- Mark Masselli, President and CEO, Community Health Center Inc.

Third Party Comment:

Craig Kennedy, President and CEO, Medicaid Health Plans of America

Expansion of Scope | Accrediting Agency

Association for Biblical Higher Education, Commission on Accreditation

Action for Consideration: Expansion of scope

Recommendation: Vote: 13-0

Recommend approval of the agency's request for an expansion of scope to include the accreditation of graduate certificates, and master's degrees. Continue the agency's recognition as a nationally recognized accrediting agency at this time and require the agency to come into compliance within 12 months with the criterion listed below and submit a compliance report due 30 days thereafter that demonstrates the agency's compliance.

[602.15(a)(2)]--The agency does not meet the requirements of this section of the criteria. The agency must provide documentation demonstrating the training of all appeal panel members, a decision making body of the agency, on distance education pursuant to the criteria which requires competent and knowledgeable individuals, qualified by education and experience in their own right and trained by the agency on their responsibilities, as appropriate for their roles, regarding the agency's standards, policies, and procedures, to conduct its on-site evaluations, apply or establish its policies, and make its accrediting and pre-accrediting decisions, including, if applicable to the agency's scope, their responsibilities regarding distance education and correspondence education.

NACIQI Primary Readers:

- Claude O. Pressnell, Jr.
- Ralph Wolff

Representatives of the Agency:

- Kevin Hester, Ph.D., Chair
- Ronald Kroll, Ed.D., Director
- Shane Wood, Ph.D., Associate Director

Renewal of Recognition | Accrediting Agencies

Maryland Board of Nursing

Action for Consideration: Renewal of recognition

NACIQI Recommendation: Vote: 12-1

Continue the Maryland Board of Nursing's (agency) recognition as a state approval agency for nurse education at this time, and require the agency to come into compliance within 12 months with the criteria listed below, and submit a compliance report due 30 days thereafter that demonstrates the agency's compliance.

[3a.]--The agency does not meet the requirements of the criteria. The agency must provide the Practice and Education Committee report (described in Criteria 2) for the decision letter provided as evidence to demonstrate the application of its full review of the approval process.

[3d.]--The agency does not meet the requirements of the criteria. The agency must provide evidence of the execution of the provided action plan; application and review of the Maryland Board of Nursing's newly created standard/regulation/policy regarding the enforcement of a school's ethical practices, including recruitment and advertising by providing it as evidence; a completed self-study, pursuant to the newly created COMAR regulations/guidelines; a survey report; Practice and Education Committee report; and the Board decision letter from the same institution to demonstrate this enforcement.

[3g.]--The agency does not meet the requirements of the criteria. The agency must provide the corrective action plan formulated to address the delinquencies in completing the required site visits within the required 5-year period to demonstrate compliance with the Code of Maryland Regulations (COMAR) requirements. The agency must also provide evidence of the execution of the action plan. Further, the agency needs to clarify the discrepancies surrounding the number of approved nursing education programs identified by the agency within the petition responses to the Department and the actual number of approved nursing education programs documented by the screen shot of the agency website and site visit schedule provided as evidence. Lastly, the agency must demonstrate initial and periodic on-site inspections of each school of nursing it accredits/approves.

NACIQI Primary Readers:

- Paul J. Leblanc
- Steven VanAusdle

Representatives of the Agency:

- Michael Conti, J.D., Maryland Office of the Attorney General
- Karen E.B. Evans, MSN, RN-BC, Executive Director
- Sheila Green, Ph.D.
- Patricia Kennedy, Ph.D.

New York State Board of Regents, State Education Department, Office of the Professions (Public Postsecondary Vocational Education, Practical Nursing)

Action for Consideration: Renewal of recognition

Committee Recommendation: Vote: 13-0

Continue the agency's recognition as a nationally recognized accrediting agency at this time and require the agency to come into compliance within 12 months with the criteria listed below and submit a compliance report due 30 days thereafter that demonstrates the agency's compliance.

[603.24(b)(1)(i)]—The state has not yet brought its advisory board into compliance with the compositional requirements of its by-laws and this criterion. The state's solutions to having student involvement on the advisory board seems acceptable and in accord with the state criteria; however, the state must demonstrate through the application of its policy that it has reached compliance in this area.

NACIQI Primary Readers:

- Paul J. Leblanc
- Richard F. O'Donnell

Representatives of the Agency:

- Renee Gecsed, MS, RN, Associate in Nursing Education

ACCREDITATION RULES EFFECTIVE JULY 2020

Diane Auer Jones, Principal Deputy Under Secretary Delegated the Duties to Perform the Duties of the Under Secretary, addressed NACIQI and the public regarding the impending new Accreditation Rules that will take effect July 1, 2020.

Third Party Comment:

- 1) Bernard Fryshman, Executive Director, Association of Advanced Rabbinical and Talmudic Schools

SUBCOMMITTEE ON GOVERNANCE AND POLITICAL INFLUENCE

The Subcommittee on Governance, chaired by Richard F. O'Donnell, tabled its scheduled report until the Fall 2020 meeting.

ELECTIONS OF CHAIR AND VICE CHAIR

The Acting Executive Director of NACIQI and Designated Federal Official, George Alan Smith, facilitated elections for the Committee Chair and Vice Chair. Arthur Keiser was re-elected as Chair and Claude O. Pressnell, Jr. was elected as Vice Chair.



U.S. Department of Education
Office of Postsecondary Education

**NATIONAL ADVISORY COMMITTEE ON INSTITUTIONAL QUALITY AND INTEGRITY
(NACIQI)**

July 29 & 30, 2020
9:00AM-5:00PM

WebEx Virtual Platform Links for Public Attendees

Registration Link for Wednesday, July 29, 2020

<https://ems8.intellor.com?do=register&t=1&p=827612>

Registration Link for Thursday, July 30, 2020

PLEASE NOTE:

**Dates and times listed for agenda items are subject to change.*

**Participation links for ED Staff and NACIQI Members are different than those listed above.*

<p>Wednesday, July 29, 2020 9:00AM Welcome and Introductions</p>	<p>George Alan Smith NACIQI Executive Director Arthur E. Keiser NACIQI Chairperson</p>
<p>Consent Agenda and Procedures</p>	<p>Arthur E. Keiser NACIQI Chairperson</p> <ul style="list-style-type: none"> ▪ Call for third-party oral comments ▪ Call for removal of any items from the consent agenda ▪ Move and second consent agenda ▪ Call for vote on the consent agenda
<p>Consent Agenda</p> <ol style="list-style-type: none"> 1) Renewal of Recognition Missouri State Board of Nursing (Missouri) 2) Renewal of Recognition Puerto Rico State Agency for the Approval of Public Postsecondary Vocational, Technical Institutions and Programs (Puerto Rico) 	<p>NACIQI Primary Readers:</p> <p>Missouri—D. Michael Lindsay; Steven VanAusdle Puerto Rico—Ronnie L. Booth; Richard F. O’Donnell</p> <p>Department Staff:</p> <p>Missouri—Michael Stein Puerto Rico—Stephanie McKissic</p> <p>Agency Representatives:</p> <p>Missouri</p>

	<p>Bibi Schultz, Director of Education Sarah Barickman, Education Specialist Lori Scheidt, Executive Director</p> <p>Puerto Rico</p> <p>Eligio Hernandez, Secretary of Education, Puerto Rico</p>
<p>Standard Review Procedures</p>	<p>Arthur E. Keiser NACIQI Chairperson</p> <ul style="list-style-type: none"> ▪ Primary readers introduce agency application ▪ Department staff provides briefing ▪ Agency representatives provide comments ▪ Questions by NACIQI followed by response and comment from agency ▪ Third-party comments ▪ Agency responds to third-party comments ▪ Department staff responds to agency and third-party comments ▪ Discussion and vote
<p>Review of Agency Recognition During the Period of Recognition Higher Learning Commission (HLC)</p>	<p>NACIQI Primary Readers: Paul J. LeBlanc Mary Ellen Petrisko</p> <p>Department: Robert L. King, Assistant Secretary for Postsecondary Education</p> <p>Agency Representatives:</p> <ul style="list-style-type: none"> ▪ Barbara Gellman-Danley, President, Higher Learning Commission ▪ Joanne Burrows, Chair of the Board of Trustees, Higher Learning Commission ▪ Anthea Sweeney, Vice President of Legal and Regulatory Affairs, Higher Learning Commission ▪ Marla Morgen, Associate Vice President of Legal and Regulatory Affairs, Higher Learning Commission ▪ David Wissmann, Former Trustee, Higher Learning Commission ▪ Julie Miceli, Partner, Husch Blackwell <p>Third-Party Commenters:</p> <ul style="list-style-type: none"> ▪ David Halperin, Attorney and Counselor

	<ul style="list-style-type: none"> ▪ Robert J. Infusino, Former Student, Illinois Institute of Art ▪ Amy Laitinen, Director of Higher Education, New America ▪ Clare McCann, Deputy Director for Federal Higher Education Policy, New America ▪ Ben Miller, Vice-President, Postsecondary Education, Center for American Progress ▪ Bob Shireman, Director of Higher Education Excellence and Senior Fellow, The Century Foundation ▪ Jamiene S. Studley, President & CEO, WASC Senior College and University Commission ▪ Belle Wheelan, President & CEO, Southern Association of Colleges and Schools Commission on Colleges
LUNCH 12:00-1:00PM	
Renewal of Recognition New York State Board of Regents, State Education Department, Office of the Professions (Nursing Education)	<p>NACIQI Primary Readers: Wallace (Wally) Boston Anne D. Neal</p> <p>Department Staff: Charity Helton</p> <p>Agency Representatives:</p> <ul style="list-style-type: none"> ▪ Sarah Benson, Deputy Commissioner, Office of the Professions ▪ Mei Zhou, Director, Professional Education ▪ Renee Gechedj, Associate in Nursing Education ▪ Jeanne-Marie Havener, Associate in Nursing Education
Thursday, July 30, 2020 9:00AM Welcome	<p>George Alan Smith NACIQI Executive Director Arthur E. Keiser NACIQI Chairperson</p>
Standard Review Procedures	<p>Arthur E. Keiser NACIQI Chairperson</p> <ul style="list-style-type: none"> ▪ Primary readers introduce agency application ▪ Department staff provides briefing ▪ Agency representatives provide comments ▪ Questions by NACIQI followed by response and comment from agency

	<ul style="list-style-type: none"> ▪ Third-party comments ▪ Agency responds to third-party comments ▪ Department staff responds to agency and third-party comments ▪ Discussion and vote
Reorganization and Curriculum Change by Federal Agencies and Institutions U.S. Army Command and General Staff College: Undergoing Substantive Change (Curriculum Change)	<p>NACIQI Primary Readers: Amanda C. Delekta Arthur E. Keiser</p> <p>Department Staff: Valerie Lefor</p> <p>Agency Representative:</p> <ul style="list-style-type: none"> ▪ Jim Martin, Dean of Academics, U.S. Army Command and General Staff College
Reorganization and Curriculum Change by Federal Agencies and Institutions National Intelligence University: Undergoing Substantive Change from Department of Defense to Director of National Intelligence	<p>NACIQI Primary Readers: David A. Eubanks Claude O. Pressnell, Jr.</p> <p>Department Staff: Valerie Lefor</p> <p>Agency Representatives:</p> <ul style="list-style-type: none"> ▪ J. Scott Cameron, President, National Intelligence University ▪ John Gannon, Chair, Board of Visitors, National Intelligence University ▪ Terrence Markin, Provost, National Intelligence University ▪ David Smith, Assistant Provost, National Intelligence University
Subcommittee on Governance	Richard F. O’Donnell Subcommittee Chairman
Presentation on Student Success	David A. Eubanks Committee Member
Adjournment	Arthur E. Keiser Committee Chairperson

Report of the Meeting

**National Advisory Committee on Institutional Quality and Integrity
(NACIQI)**

July 29 & 30, 2020



_____/s/_____
Arthur E. Keiser, Ph.D., Chair

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DISCLAIMER

This report summarizes the deliberations of the National Advisory Committee on Institutional Quality and Integrity (NACIQI) at its virtual July 29 & 30, 2020 meeting. The NACIQI is an advisory committee established by the Higher Education Opportunity Act of 2008 and is subject to the Federal Advisory Committee Act. This report represents the views of the NACIQI. The report has not been reviewed for approval by the Department of Education, and therefore, the report's recommendations do not purport to represent the views of the Department.

EXECUTIVE SUMMARY

NACIQI was most recently authorized by Section 106 of the Higher Education Opportunity Act of 2008. NACIQI's primary functions include advising the Secretary of Education on the establishment and enforcement of criteria for recognition of accrediting agencies under Subpart 2 of Part H, Title IV, of the Higher Education Act of 1965, as amended (HEA), as well as the recognition of specific accrediting agencies or associations or a specific State approval agency. The NACIQI also advises the Secretary on the eligibility and certification process for institutions of higher education under Title IV, of the HEA, including the relationship between accreditation of institutions of higher education and the certification and eligibility of such institutions, and state licensing responsibilities with respect to such institutions.

NACIQI met virtually on July 29 & 30, 2020, through the WebEx platform to carry out its responsibilities to advise the senior Department official (SDO) with respect to the recognition of accrediting agencies.

NACIQI reviewed the following types of applications at its July 29 & 30, 2020, meeting:

Three applications for renewal of recognition from accrediting agencies;
Two applications for reorganization and curriculum change by Federal agencies and institutions; and
One review of an agency recognition during the period of recognition.

NACIQI reviews all information submitted by an agency in support of its petition, the staff analysis and report, and third-party comments.

Chairman Arthur Keiser opened the virtual meeting and welcomed the Committee and members of the public.

The Subcommittee on Governance and Political Influence, chaired by Richard F. O'Donnell, submitted its report for the Secretary's review.

Committee member David A. Eubanks presented on Student Success; consequently, a subcommittee was formed on the topic.

NACIQI members in attendance for all or part of the meeting included: Arthur Keiser (Chair), Kathleen Sullivan Alioto, Ronnie L. Booth, Wallace E. Boston, Amanda C. Delekta, Jill Derby, David A. Eubanks, George French, Brian Jones, Paul J. Leblanc, D. Michael Lindsay, Anne D. Neal, Richard F. O'Donnell, Mary Ellen Petrisko, Claude O. Pressnell, Jr., Steven VanAusdle, and Ralph Wolff.

U.S. Department of Education representatives who participated in the meeting included: NACIQI Executive Director and Designated Federal Official George Alan Smith; Accreditation Director Herman Bounds; Office of the General Counsel staff member Donna Mangold; and accreditation staff members Elizabeth Daggett, Nicole S. Harris, Charity Helton, Jass Holt, Valerie Lefor, Reha Mallory, Stephanie McKissic, Karmon Simms-Coates, and Michael Stein.

SUMMARY OF AGENCY-RELATED ACTIONS

The following agencies were acted on under NACIQI's consent agenda:

Renewal of Recognition | Accrediting Agencies

Missouri State Board of Nursing

Action for Consideration:

- Renewal of Recognition

Recommendation:

- Renew the agency's recognition for four years.
- Vote "Yes": Unanimous

NACIQI Primary Readers:

- D. Michael Lindsay
- Steven VanAusdle

Puerto Rico State Agency for the Approval of Public Postsecondary Vocational, Technical Institutions and Programs

Action for Consideration:

- Renewal of Recognition

Recommendation:

- Renew the agency's recognition for four years.
- Vote "Yes": Unanimous

NACIQI Primary Readers:

- Ronnie L. Booth
- Richard F. O'Donnell

The following agencies were acted on using NACIQI's standard review procedures:

Review of Agency Recognition During the Period of Recognition | Accrediting Agency

Higher Learning Commission

Action for Consideration:

- Continue the agency's recognition as a nationally recognized accrediting agency at this time, and require the agency to come into compliance within 12 months with 34 C.F.R. §§ 602.18(c), 34 C.F.R. 602.25(a), 602.25(d), 602.25(e), and 602.25(f), and to submit a compliance report due 30 days thereafter that demonstrates the agency's compliance.
- Limit HLC's current recognition such that it may not accredit additional institutions of higher education that do not currently hold accreditation or preaccreditation status with the agency for the duration of the 12 month period pending a compliance determination by the (SDO).

- Recommend that the compliance report include details on HLC’s efforts to mitigate the negative effects of HLC’s procedurally erroneous decision to withdraw accreditation from the two institutions [Illinois Institute of Art and Art Institute of Colorado] set forth above on students, especially with regard to the status of academic credits earned at the Institutions during calendar year 2018.

Recommendation:

- Reject the staff recommendation and recommend that the SDO not revise or curtail the accrediting agency's scope of recognition.
- Vote: 9 “Yes”; 2 “No”; and 1 “Abstention”

NACIQI Primary Readers:

- Paul J. Leblanc
- Mary Ellen Petrisko

Representatives of the Agency:

- Barbara Gellman-Danley, President, Higher Learning Commission
- Joanne Burrows, Chair of the Board of Trustees, Higher Learning Commission
- Anthea Sweeney, Vice President of Legal and Regulatory Affairs, Higher Learning Commission
- Marla Morgen, Associate Vice President of Legal and Regulatory Affairs, Higher Learning Commission
- David Wissmann, Former Trustee, Higher Learning Commission
- Julie Miceli, Partner, Husch Blackwell

Third Party Comment:

- David Halperin, Attorney and Counselor
- Robert J. Infusino, Former Student, Illinois Institute of Art
- Amy Laitinen, Director of Higher Education, New America
- Clare McCann, Deputy Director for Federal Higher Education Policy, New America
- Ben Miller, Vice-President, Postsecondary Education, Center for American Progress
- Bob Shireman, Director of Higher Education Excellence and Senior Fellow, The Century Foundation
- Jamiene S. Studley, President & CEO, WASC Senior College and University Commission
- Rosalind Fuse-Hall: Surrogate for Belle Wheelan, President & CEO, Southern Association of Colleges and Schools Commission on Colleges
- Walter Ochinko, Veterans Education Success

Renewal of Recognition | Accrediting Agency

New York State Board of Regents, State Education Department, Office of the Professions

Action for Consideration:

- Renewal of Recognition

Recommendation:

- Continue the agency's recognition as a nationally recognized state approval agency for nurse education at this time, and require the agency to come into compliance within 12 months with the criteria listed below, and submit a compliance report due 30 days thereafter that demonstrates the agency's compliance.
 - [3g.]--The state must demonstrate that its policy requires initial and periodic on-site visits to occur to all accredited schools of nursing, as required by this section of the nurse criteria. The state must demonstrate that it conducts periodic on-site reviews to all accredited schools of nursing within the accreditation period required for each registered program.
- Vote "Yes": Unanimous

NACIQI Primary Readers:

- Wallace E. Boston
- Anne D. Neal

Representatives of the Agency:

- Sarah Benson, Deputy Commissioner, Office of the Professions
- Mei Zhou, Director, Professional Education
- Renee Gecsed, Associate in Nursing Education
- Jeanne-Marie Havener, Associate in Nursing Education

Reorganization and Curriculum Change by Federal Agencies and Institutions | Accrediting Agencies

U.S. Army Command and General Staff College (CGSC)

Action for Consideration:

- Substantive Change (Curriculum Change)

Recommendation:

- Recommend approval of the substantive change request for CGSC and retroactively grant the status so that the existing class of students may be included in the formal degree granting authorization.
- Votes "Yes": Unanimous

NACIQI Primary Readers:

- Amanda C. Delekta
- Arthur Keiser

Representative of the Agency:

- Jim Martin, Dean of Academics, U.S. Army Command and General Staff College

National Intelligence University

Action for Consideration:

- Substantive Change from Department of Defense to Director of National Intelligence

Recommendation:

- Recommend approval of the realignment substantive change request.
- Vote “Yes”: Unanimous

NACIQI Primary Readers:

- David A. Eubanks
- Claude O. Pressnell, Jr.

Representatives of the Agency:

- J. Scott Cameron, President, National Intelligence University
- John Gannon, Chair, Board of Visitors, National Intelligence University
- Terrence Markin, Provost, National Intelligence University
- David Smith, Assistant Provost, National Intelligence University

SUBCOMMITTEE ON GOVERNANCE AND POLITICAL INFLUENCE

The Subcommittee on Governance, chaired by Richard F. O’Donnell, submitted its report for the Secretary’s review.

PRESENTATION ON STUDENT SUCCESS

Committee member David A. Eubanks presented on Student Success; consequently, a subcommittee was formed on the topic.

**Report of the NACIQI Subcommittee on
Governing Board Independence and Political Interference**

July 22, 2020

The subcommittee has concluded its work and has a brief report.

In our effort to examine accreditor response to potential political interference, we heard from representatives of the Southern Association of Colleges and Schools Commission on Colleges, Northwest Commission on Colleges and Universities, American Council of Trustees and Alumni, and the Association of Governing Boards. We sought to hear directly from governors and trustees, but for scheduling or other reasons were unable to do so.

The accrediting agency witnesses said that, over the last decade, they believe there were very few instances of investigating political interference in an institution's governance or otherwise. One non-agency witness disagreed, asserting instances involving the University of Kentucky, the University of Alaska, higher education systems in Florida and Alabama, the University of South Carolina, and the University of Virginia.

Additionally, representatives of the agencies advanced that agency actions into external interference were typically inquiries about potential gubernatorial interference in actions of public governing boards, typically around presidential selection, and that most actions by the agency tended to resolve themselves with the provision of further information.

Representatives of the agencies said that, in recent memory, there was no negative action or termination of accreditation due to issues of political interference in governance. They noted that actions involving governance matters are rarely stand-alone and often involve other matters such as financial insolvency or fraud.

The subcommittee acknowledges that there is great diversity and complexity when it comes to boards and the "owner" of an institution. Public, religious, private, tribal, and for-profit institutions can have very different governance and ownership structures. In all cases, boards' value rests upon their exercise of independent judgment. Institutional accrediting agencies and governance associations appearing before the subcommittee address these issues in various ways. There were disagreeing views as to whether there was clear evidence presented to the subcommittee that demonstrated that accreditors had overstepped the

application of their standards regarding political interference in such areas, though there were several cases where this was the topic of interactions with governing boards.

The subcommittee recognized that there are other areas where board governance and external influence may result in interactions with accrediting agencies. The Department of Education and the Higher Education Act make clear that accreditors may not intrude in matters regarding institutional mission and must tread gingerly. This often arises in cases where institutions have a religious mission and board members are appointed by a religious denomination.

In the case of public institutions, the subcommittee acknowledges that legislatures set the budgets for many institutions and systems, not the boards. In such cases, boards are engaged most often in the distribution of budget allocations with varying degrees of specificity set by the legislature. In an era of declining state funding and declining enrollments, the subcommittee believes that boards and elected leaders must inevitably engage in hard discussions about cuts, closures, and consolidation. Such issues arose in one of the cases discussed by the subcommittee with one of the regional association presidents. In such cases, the subcommittee agreed the accreditors should not be a barrier to inevitable change necessitated by shifting state priorities that impact funding and other issues, even as they monitor the impact of those hard decisions on compliance with their standards.

Lastly, the subcommittee discussed at length the provisions of the Higher Education Act and the role of accreditors as gatekeepers of Title IV funding.

Acknowledging that the HEA allows accreditors to establish additional standards (including governance) beyond the statute and regulations, the subcommittee noted that the HEA (and accompanying regulations) specifically set out only 10 criteria for determination of Title IV funding. The Department has, in turn, ruled that it (and by extension NACIQI) has no authority to review or act on accreditor application of standards specifically outside the Act.

The subcommittee discussed how best to resolve the tension between what is allowed and what is required, as just described. A majority of the subcommittee believes that the accreditor sanctions on governance come up rarely, that there was no evidence presented in which accreditation was actually revoked based on the governance standard (or that standard alone), and that accreditors are allowed to include criteria for approval beyond the 10 mandated by the Act. These subcommittee members argue that there is no evidence that the threat of revocation of Title IV eligibility has constrained governing boards or institution ownership entities from acting as they wish. It is the majority sense of the subcommittee that

the present legislative arrangement is necessary and important to preserve board independence.

However, a minority of subcommittee members find it problematic that an agency could revoke or deny accreditation, and thus terminate access to Title IV, for reasons that the Department (and NACIQI) has no authority to review or oversee. These subcommittee members agree with testimony from a non-agency witness that this may amount to unconstitutional delegation of governmental authority to private bodies.

These subcommittee members fear that the mere threat of revocation of Title IV eligibility might create a chilling effect on governing boards attempting to address challenging issues of cost and quality.

There was general (but not unanimous) agreement that governance is often a gray zone where boards are not as fully independent as they may seem on paper (as in those aforementioned examples) and that accreditation agencies need to recognize that reality and wade into those waters in a measured and careful way. A minority of subcommittee members believe that governance for public institutions is established by state law and that accretor intrusion in these matter is inappropriate and outside the proper purview of accreditors in their role as Title IV gatekeepers.

Much as the previous subcommittee on substantive change, we ask that this report be provided to the full membership of NACIQI for discussion. While a majority of the subcommittee believe no further action is warranted, a minority of the subcommittee believe that this report should be shared with the relevant members of Congress and Department of Education officials.

Members of the Subcommittee: Rick O'Donnell, chair; Kathleen Alioto, Jill Derby, Paul LeBlanc, Anne Neal, and Ralph Wolff.



U.S. DEPARTMENT OF EDUCATION

Office of Postsecondary Education

**NATIONAL ADVISORY COMMITTEE ON INSTITUTIONAL
QUALITY AND INTEGRITY**

List of Members, July 2020

1. **Dr. Kathleen Sullivan Alioto** (House Democrat)
Strategic Advisor, Fundraiser, and Consultant
2. **Dr. Ronnie L. Booth** (Education Department)
President Emeritus, Tri-County Technical College
3. **Dr. Wallace E. Boston** (Education Department)
President, American Public University System, Inc.
4. **Ms. Amanda Delekta** – Student Member (Education Department)
Michigan State University College of Law
5. **Dr. Jill Derby** (Senate Democrat)
Senior Consultant, Association of Governing Boards of Universities and Colleges
6. **Dr. David A. Eubanks** (Education Department)
Assistant Vice President for Assessment and Institutional Effectiveness, Furman University
7. **Dr. George T. French, Jr.** (House Democrat)
President, Clark Atlanta University
8. **Brian W. Jones** (House Republican)
President, Strayer University
9. **Dr. Arthur E. Keiser** (House Republican)
Chancellor and C.E.O., Keiser University
10. **Dr. Paul J. LeBlanc** (Senate Democrat)
President, Southern New Hampshire University
11. **Dr. D. Michael Lindsay** (Education Department)
President, Gordon College

12. **Ms. Anne D. Neal** (Senate Republican)
President & CEO, National Association of Olmsted Parks
13. **Mr. Richard F. O'Donnell** (Senate Republican)
Founder and CEO, Skills Fund
14. **Dr. Mary Ellen Petrisko** (Education Department)
Education Consultant
15. **Dr. Claude O. Pressnell, Jr.** (Senate Republican)
President, Tennessee Independent Colleges and Universities Association
16. **Dr. Steven VanAusdle** (Senate Democrat)
President Emeritus, Walla Walla Community College
17. **Mr. Ralph Wolff** (House Democrat)
President, The Quality Assurance Commons for Higher and Postsecondary Education